

UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY

WILFREDO TORRES
CHIEF PROBATION OFFICER

THOMAS C. MILLER
DEPUTY CHIEF PROBATION OFFICER

April 29, 2011

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Honorable Faith S. Hochberg
Martin Luther King Jr. Federal Building & Courthouse
P.O. Box 0999
Newark, NJ 07102-0999

RE: Nieves-Alonzo, Heriberto
Dkt.# 08-00511-001

Request to allow case to expire with pending charges

Dear Judge Hochberg:

On December 3, 2008, Nieves-Alonzo was sentenced before Your Honor on a violation of supervised release stemming from drug use. The offender was sentenced to seven months imprisonment followed by a two-year-term of supervised release. The original federal sentence was for a drug distribution conspiracy out of the District of Puerto Rico, in which the offender was sentenced to a custodial term of 120 months. On July 1, 2009, the offender was released from custody on the violation sentence.

Nieves-Alonzo was arrested twice in Elizabeth, New Jersey, for possession of a controlled substance. The two charges were consolidated and a trial is scheduled for July 25, 2011. On both occasions, the offender was in possession of suboxone; however, he has a prescription and a doctor's note advising that it was prescribed to him. We respectfully request the Court permit the offender's case to expire on June 30, 2011 and allow the state to handle the pending charges.

Should Your Honor wish to discuss this case further, or order an alternative course of action, please contact the undersigned officer at (973) 207-9955.

Respectfully submitted,

Wilfredo Torres, Chief
U.S. Probation Officer

Kellyanne Kelly
By: Kellyanne Kelly
Senior U.S. Probation Officer



The Court orders termination of supervision on June 30, 2011 as scheduled unless new violations arise prior to that date.



The Court orders violation proceedings be initiated.



Other: _____

SO ORDERED,

Faith S. Hochberg
Faith S. Hochberg, USDS
4/29/11